

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Frank Montgoris	Team: Squad #7	CCRB Case #: 201705201	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 06/25/2017 7:05 PM	Location of Incident: Greenwich Street and Christopher Street	Precinct: 01	18 Mo. SOL 12/25/2018	EO SOL 12/25/2018	
Date/Time CV Reported Sun, 06/25/2017 9:16 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Sun, 06/25/2017 9:16 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. CPT Thomas Smith	00000	939495	MTN PCT

Officer(s)	Allegation	Investigator Recommendation
A.CPT Thomas Smith	Force: Captain Thomas Smith used physical force against § 87(2)(b) [REDACTED]	[REDACTED]

### Case Summary

On June 25, 2017, § 87(2)(b) filed this complaint with the CCRB on behalf of her § 87(2)(b)-old daughter, § 87(2)(b) via the online website. The same day, § 87(2)(b) also filed a duplicate complaint via the Call Processing System.

Between June 30, 2017 and July 21, 2017, six calls were placed to § 87(2)(b)'s cell phone and contact was established three times. During these calls, § 87(2)(b) confirmed that she did not witness this incident, and informed the CCRB that she would confirm § 87(2)(b)'s availability and follow-up with the CCRB to schedule an in-person statement for her. Additionally, § 87(2)(b) was offered the option of a verified phone statement for § 87(2)(b) as well, being that she and § 87(2)(b) lived out of state. However, § 87(2)(b) ultimately opted to have § 87(2)(b) come to the CCRB for an in-person statement. Nonetheless, § 87(2)(b) failed to follow-up each time. The remaining three calls placed to § 87(2)(b)'s phone resulted in voicemails. Throughout this timeframe, three letters and three e-mails were sent to § 87(2)(b) further explaining the CCRB's desire to interview § 87(2)(b) which § 87(2)(b) confirmed receipt of during a phone call with the CCRB. During the sixth and final call, § 87(2)(b) informed the CCRB that she would follow-up with the CCRB and schedule § 87(2)(b)'s in-person statement after speaking to her. However, as of the writing of the report, she has failed to do so, and none of the letters were returned to the CCRB by the United States Postal Service.

During one of her phone calls with the CCRB, § 87(2)(b) provided the CCRB with § 87(2)(b)'s cell phone number, and confirmed that § 87(2)(b) lived with her. Between July 10, 2017 and July 25, 2017, six total phone calls were placed to this number, each time resulting in a voicemail. On July 19, 2017, § 87(2)(b) left a voicemail at the CCRB from the same number used to contact her six times, confirming that she had received the CCRB's calls. However, § 87(2)(b) failed to respond to the two follow-up calls placed after leaving that voicemail. Four letters were sent to § 87(2)(b) over the course of the investigation using the address that was provided by § 87(2)(b). Database searches of CLEAR and Lexis Nexis confirmed this address and provided an additional number for § 87(2)(b). However, a call was placed to this number and it was determined to not be a working number. A search of the New York City, New York State, and New Jersey Department of Correction websites all indicated that § 87(2)(b) is not incarcerated. As of the writing of this report, § 87(2)(b) has not reached out to the CCRB in an attempt to pursue this complaint, and none of the letters were returned to the CCRB by the United States Postal Service.

A search for video footage for this case yielded only one commercial establishment, Gaetana's Italian Restaurant, as having security cameras at the incident location. However, fieldwork conducted at the restaurant determined that the cameras did not record. Therefore, no video footage existed for this case.

§ 87(2)(g)

§ 87(2)(g)

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Squad: 7

Investigator: \_\_\_\_\_  
Signature Print Date

Squad Leader: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date